

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Marc NEUBERGER

Serial No. 09/912,446

Group Art Unit: 2626

Confirmation No. 4445

Filed: July 26, 2001

Examiner: Michael N. Opsasnick

For: METHOD AND SYSTEM FOR AUGEMENTING GRAMMARS IN DISTRIBUTED VOICE  
BROWSING ENVIRONMENT TO CONTROL A CALL (as amended)

**PETITION FOR WITHDRAWAL OF**  
**HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181(a)**

**Mail Stop: Petition**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In the above-referenced application a Notice of Abandonment, copy attached, was mailed April 14, 2009 indicating that the above-identified application is abandoned for failure to timely file a proper reply to the Office letter mailed July 9, 2008. The Notice of Abandonment also indicated that a proposed reply was received on January 9, 2009, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

The Amendment filed on January 9, 2009 and received by the USPTO indicated on the first page that a Request for Continued Examination (RCE) is submitted. The RCE was filed on January 9, 2009 via Certificate of Mailing. A Certificate of Transmission under 37 CFR 1.8 was included with the correspondence. A copy of the RCE as filed is also enclosed.

As indicated on the RCE as filed, Mrs. Nova Johns, an Intellectual Property Assistant at Staas & Halsey LLP, deposited the same with the United States Postal Service as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

A copy of the docket record where the RCE was docketed when mailed via certificate of mailing, is attached hereto. As shown on page 3, "Action" and "completed date" of the master docket records of the firm showing all Action due dates and Action completion dates, an RCE was filed on January 9, 2009. The master data center (mdc) docketing software master docket record docket report ("Patent Data") shows the history of the above-identified application, where the Office action of July 9, 2008 is entered, as well as the due date of January 9, 2009 for filing of the Amendment After Final and the RCE. As shown therein, based on a search of the Staas & Halsey docket records, the RCE was filed. In addition, the undersigned practitioner conducted a search of the file jacket of this application and a copy of the RCE was found therein.

It is respectfully submitted that a complete Response was timely filed in this application, and it is respectfully requested that the holding of abandonment should be withdrawn.

In the event any fees are required with respect to the filing of this paper, please charge our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 05/06/2009

By: 

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